

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS/ST. JOHN**

UNITED STATES OF AMERICA

v.

RIEL CHARLESWELL

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CRIMINAL NO. 2002-158

ORDER

AND NOW, this 11th day of January, 2008, upon remand from the U.S. Circuit Court of Appeals for the Third Circuit, see United States v. Charleswell, 456 F.3d 347 (3d Cir. 2006), a hearing having been held on the issue upon remand on May 7, 2007, and, thereafter, upon consideration of the United States' Proposed Findings of Fact and Memorandum of Law, Defendant Riel Charleswell's Proposed Findings of Fact and Memorandum of Law, and the United States' Reply, it is hereby ORDERED that the judgment against Defendant Charleswell entered November 19, 2004, for the criminal conviction of reentering the United States without permission, after having been previously deported, is REINSTATED for the reasons set forth in the attached Memorandum.

Dated: January 11, 2008

/S/
JAMES T. GILES J.
UNITED STATES DISTRICT JUDGE
(Sitting By Designation)

A T T E S T:
WILFREDO MORALES
Clerk of the Court

By: _____
Deputy Clerk